

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON APPROPRIATIONS

Call to Order: Chair Walter McNutt, on March 8, 2011 at 8:00 A.M., in Room 102
Capitol

ROLL CALL

Members Present:

Rep. Walter McNutt, Chairman (R)
Rep. Bill Beck, Vice Chairman (R)
Rep. Cynthia Hiner, Vice Chairman (D)
Rep. Duane Ankney (R)
Rep. Tony Belcourt (D)
Rep. Randy Brodehl (R)
Rep. Tom Burnett (R)
Rep. Rob Cook (R)
Rep. Mike Cuffe (R)
Rep. Champ Edmunds (R)
Rep. Ron Ehli (R)
Rep. John Esp (R)
Rep. Steve Gibson (R)
Rep. Roy Hollandsworth (R)
Rep. Galen Hollenbaugh (D)
Rep. Bill McChesney (D)
Rep. Robert (Bob) Mehlhoff (D)
Rep. Ryan Osmundson (R)
Rep. Don Roberts (R)

Members Excused: Rep. Trudi Schmidt (D)
Rep. Jon C. Sesso (D)

Members Absent: None

Staff Present: Antoine Brockman, Committee Secretary
Jaret Coles, Legislative Branch
Jon Moe, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 46, 3/6/2011; HB 165, 3/6/2011; HB 184, 3/6/2011; HB 188, 3/6/2011; HB 192, 3/6/2011; HB 243, 3/6/2011; HB 274, 3/6/2011; HB 331, 3/6/2011; HB 321, 3/6/2011; HB 358, 3/6/2011; HB 363, 3/6/2011; HB 377, 3/6/2011; HB 386, 3/6/2011
Executive Action: HB 386

HEARING ON HB 46

Opening Statement by Sponsor:

00:03:51 Rep. Pat Ingraham (R), HD 13, opened the hearing on HB 46, Revise and clarify the realty transfer act.

Proponents' Testimony: None

Opponents' Testimony:

00:07:04 Alan Peura, Deputy Director, Department of Revenue (DOR)
[EXHIBIT\(aph52a01\)](#)

Informational Testimony: None

Questions from Committee Members and Responses:

00:15:32 Rep. Burnett
00:15:41 Mr. Peura, DOR
00:15:56 Rep. Hollandsworth
00:17:26 Mr. Peura, DOR

Closing by Sponsor:

00:17:52 Rep. Ingraham

HEARING ON HB 165

Opening Statement by Sponsor:

00:20:59 Rep. Roy Hollandsworth (R), HD 28, opened the hearing on HB 165, Deposit certain trust land and river bed income to guarantee account.

Proponents' Testimony: None

Opponents' Testimony:

00:22:06 Eric Burke, Montana Education Association - Montana Federation of Teachers
(MEA-MFT)

Informational Testimony:

00:24:28 Tom Schultz, Administrator, Trust Land Management Division, Department of
Natural Resources and Conservation (DNRC)

Questions from Committee Members and Responses:

00:25:33 Rep. McChesney
00:25:52 Rep. Hollandsworth
00:26:10 Rep. McChesney
00:26:23 Rep. Hollandsworth
00:26:45 Rep. McChesney
00:27:19 Mr. Schultz, DNRC
00:28:15 Rep. McChesney
00:28:33 Rep. Schultz
00:29:21 Rep. McChesney
00:30:06 Chairman McNutt
00:30:39 Rep. Mehlhoff
00:31:38 Rep. Hollandsworth
00:32:34 Rep. Mehlhoff
00:32:49 Rep. Hollandsworth

Closing by Sponsor:

00:33:50 Rep. Hollandsworth

HEARING ON HB 184

Opening Statement by Sponsor:

00:34:21 Rep. Cary Smith (R), HD 55, opened the hearing on HB 184, Healthcare tax
credits for individuals and out-of-pocket expenses.

[EXHIBIT\(aph52a02\)](#)

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony:

00:37:35 Dan Dodds, Department of Revenue (DOR)

[EXHIBIT\(aph52a03\)](#)

Questions from Committee Members and Responses:

00:38:41 Rep. Gibson
00:39:22 Rep. Smith
00:39:31 Mr. Dodds, DOR
00:42:13 Rep. Gibson
00:42:31 Rep. Smith
00:42:44 Rep. Mehlhoff
00:43:20 Rep. Smith

Closing by Sponsor:

00:45:18 Rep. Smith

HEARING ON HB 188

Opening Statement by Sponsor:

00:46:51 Rep. Cleve Loney (R), HD 25, opened the hearing on HB 188, Provide licensure and regulation of real estate appraisal management companies.

Proponents' Testimony:

00:48:01 Billy Veerkamp, Montana Board of Real Estate Appraisers (MREA)
00:48:37 Steve Turkiewicz, Montana Bankers Association (MBA)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:49:56 Rep. Loney

HEARING ON HB 192

Opening Statement by Sponsor:

00:51:40 Rep. Jerry O'Neil (R), HD 3, opened the hearing on HB 192, Adjust exempt retirement amounts for individual income tax.

Proponents' Testimony:

00:54:23 Jessie Luther, Association of Montana Retired Employees

Opponents' Testimony: None

Informational Testimony:

00:55:23 Steve Cleverdon, Department of Revenue (DOR)

Questions from Committee Members and Responses:

00:55:47 Rep. Gibson

00:58:02 Rep. O'Neil

00:58:08 Mr. Cleverdon, DOR

00:59:44 Rep. Mehlhoff

Closing by Sponsor:

01:01:22 Rep. O Neil

HEARING ON HB 243

Opening Statement by Sponsor:

01:02:11 Rep. Douglas (Doug) Kary (R), HD 48, opened the hearing on HB 243, Revise laws on uninsured motorists.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony:

01:04:24 Brenda Nordland, Administrator, Division of Motor Vehicles, Department of Justice (DOJ)

Questions from Committee Members and Responses: None

Closing by Sponsor:

01:04:58 Rep. Kary

HEARING ON HB 274

Opening Statement by Sponsor:

01:05:55 Rep. David Howard (R), HD 60, opened the hearing on HB 274, Provide that employment of an unauthorized alien is unlawful.

Proponents' Testimony:

01:07:35 Rodger Newmador, self

Opponents' Testimony:

01:08:22 Pat Keim, Columbia Grain, Great Falls, Montana

Informational Testimony:

01:10:02 Linda McCulloch, Secretary of State, Office of the Montana Secretary of State
(SOS)

EXHIBIT(aph52a04)

01:13:44 Ali Bovingdon, Department of Justice (DOJ)

Questions from Committee Members and Responses:

01:14:01 Rep. Hollandsworth
01:14:21 Rep. Edmunds
01:14:32 Rep. Howard
01:15:43 Rep. Gibson
01:15:50 Rep. Howard
01:16:35 Rep. McChesney
01:16:44 Rep. Howard
01:16:48 Rep. Mehlhoff
01:17:14 Mr. Keim, Columbia Grain
01:18:24 Rep. Hollenbaugh
01:18:54 Ms. Bovingdon, DOJ
01:21:00 Rep. Mehlhoff
01:21:06 Rep. Howard
01:22:46 Rep. Mehlhoff
01:23:23 Rep. Howard
01:24:00 Rep. Burnett
01:24:29 Rep. Howard
01:25:12 Rep. Burnett
01:26:08 Rep. Howard
01:26:56 Rep. Gibson
01:27:01 Rep. Howard
01:27:35 Chairman McNutt
01:28:34 Rep. Howard
01:28:40 Rep. Mehlhoff
01:29:04 Ms McCulloch, SOS
01:30:29 Rep. Mehlhoff
01:30:51 Ms McCulloch, SOS

Closing by Sponsor:

01:31:40 Rep. Howard

HEARING ON HB 331

Opening Statement by Sponsor:

01:33:01 Rep. David Howard (R), HD 60, opened the hearing on HB 331, State assistance for economic damage by brucellosis.

Proponents' Testimony:

01:34:47 Nicole Rolf, Montana Farm Bureau Federation (MFBF)

01:37:34 Jay Bodner, Montana Stock Growers Association (MSGA)

Opponents' Testimony:

01:40:41 Christian MacKay, Executive Director, Board of Livestock

Informational Testimony: None

Questions from Committee Members and Responses:

01:44:53 Rep. Hollandsworth

01:45:18 Rep. Howard

01:45:47 Rep. Hollandsworth

01:47:40 Rep. Howard

01:47:48 Rep. Hollandsworth

01:47:57 Rep. Hollenbaugh

01:49:02 Mr. Bodner (MSGA)

01:49:05 Ms Rolf, MFBF

01:49:32 Rep. Hollenbaugh

01:50:14 Rep. Howard

01:50:33 Rep. Hollenbaugh

01:50:42 Mr. MacKay

01:51:19 Jon Moe, Expenditure Policy Analyst, Legislative Fiscal Division (LFD)

01:52:35 Rep. Hollenbaugh

01:52:39 Rep. Esp

01:53:10 Chairman McNutt

01:53:20 Rep. Hollenbaugh

01:54:25 Rep. Howard

01:54:52 Rep. Esp

01:55:11 Rep. Howard

Closing by Sponsor:

01:55:17 Rep. Howard

01:55:43 Recess

01:55:55 Resume - All Committee Members Returned

HEARING ON HB 321**Opening Statement by Sponsor:**

01:56:14 Rep. Krayton Kerns (R), HD 58, opened the hearing on HB 321, Nullify federal endangered species act.

Proponents' Testimony:

01:58:15 Tim Ravndal, Self
01:59:05 Clarence Getz, Self

Opponents' Testimony:

02:01:24 Ray Beck, Administrator, Conservation and Resource Development Division,
Department of Natural Resources and Conservation
02:02:54 Ken McDonald, Wildlife Bureau Chief, Montana Fish Wildlife and Parks (FWP)
02:05:01 Steve Wade, Montana Contractor's Association (MCA)
02:06:43 Janet Ellis, Montana Audubon

Informational Testimony: None

Questions from Committee Members and Responses:

02:08:51 Rep. Gibson
02:09:41 Rep. Kerns
02:10:16 Rep. Osmundson
02:10:51 Rep. Kerns
02:11:00 Rep. Osmundson
02:11:15 Rep. Kerns
02:11:25 Rep. McChesney
02:11:30 Rep. Kerns
02:11:56 Rep. McChesney
02:12:29 Rep. Kerns
02:12:37 Rep. McChesney
02:12:48 Rep. Kerns
02:12:52 Rep. Burnett
02:13:03 Rep. Kerns
02:13:25 Rep. Belcourt
02:13:55 Rep. Kerns
02:14:08 Rep. Mehlhoff
02:14:35 Jim Lynch, Director, Department of Transportation (DOT)
02:14:54 Rep. Mehlhoff
02:15:01 Mr. Lynch, DOT
02:16:03 Rep. Mehlhoff
02:16:34 Mr. Lynch, DOT
02:17:15 Rep. Mehlhoff
02:17:56 Mr. Wade, MCA

02:18:37 Rep. Belcourt left the room.
02:19:10 Cary Hegerberg, Executive Director, Montana Contractors Association
02:19:58 Rep. Belcourt entered the room.
02:20:20 Rep. Mehlhoff
02:20:37 Mr. Lynch, DOT
02:20:45 Rep. Ehli left the room.
02:21:53 Rep. Edmunds
02:22:38 Rep. Kerns
02:23:11 Rep. Esp
02:23:39 Mr. Lynch, DOT
02:24:31 Rep. Schmidt
02:25:02 Mr. Beck, DNRC
02:26:15 Rep. Hollenbaugh
02:26:35 Mr. Beck, DNRC
02:27:19 Rep. Brodehl
02:27:42 Rep. Kerns
02:28:00 Rep. Cuffe
02:28:21 Rep. Kerns
02:28:36 Rep. Cuffe
02:29:00 Rep. Kerns

Closing by Sponsor:

02:29:15 Rep. Kerns

HEARING ON HB 358

Opening Statement by Sponsor:

02:30:36 Rep. Gary MacLaren (R), HD 89, opened the hearing on HB 358, Revise Montana medical savings account contribution limits.

02:30:51 Rep. Hollenbaugh left the room.

Proponents' Testimony:

02:32:00 Janet Whitmoyer, Montana Medical Association (MMA)

Opponents' Testimony: None

Informational Testimony:

02:33:12 Dan Dodds, DOR

Questions from Committee Members and Responses: None

Closing by Sponsor:

02:33:38 Rep. MacLaren

HEARING ON HB 363

Opening Statement by Sponsor:

02:34:37 Rep. Mike Cuffe (R), HD 2, opened the hearing on HB 363, Provide for use of wolf license money.

[EXHIBIT\(aph52a05\)](#)

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony:

02:36:39 Ken McDonald, FWP

Questions from Committee Members and Responses: None

Closing by Sponsor:

02:37:04 Rep. Cuffe

HEARING ON HB 377

Opening Statement by Sponsor:

02:38:08 Rep. Wendy Warburton (R), HD 34, opened the hearing on HB 377, Revise laws to allow medication aides in nursing homes.

Proponents' Testimony:

02:41:29 Rose Hughes, Executive Director, Montana health Care Association (MHCA)
[EXHIBIT\(aph52a06\)](#)

02:48:28 Kacy Bloomenthal, Self

Opponents' Testimony: None

Informational Testimony:

02:50:27 Maggie Connor, Health Care Licensing Beauru, Department of Labor and Industry (DLI)

Questions from Committee Members and Responses:

02:51:33 Rep. Hiner

02:52:22 Ms Hughes, MHCA

02:53:36 Rep. Hiner

02:53:43 Ms Hughes, MHCA

02:54:59 Rep. Hiner

02:55:57 Ms Hughes, MHCA
 02:56:04 Rep. Hiner
 02:56:17 Ms Hughes, MHCA
 02:57:02 Rep. Hiner
 02:57:18 Ms Hughes, MHCA
 02:58:25 Rep. Hiner
 02:58:40 Ms Hughes, MHCA
 02:59:43 Rep. Schmidt
 03:00:05 Rep. Ehli entered the room.
 03:00:20 Ms Hughes

Closing by Sponsor:

03:00:50 Rep. Warburton

HEARING ON HB 386

Opening Statement by Sponsor:

03:02:34 Rep. Wayne Stahl (R), HD 35, opened the hearing on HB 386, Revise management of state-owned or state-leased vehicles.

Proponents' Testimony:

03:03:00 Ray Lee Johnson, Enterprise Car Rental

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

03:04:21 Rep. Gibson
 03:05:09 Rep. Stahl
 03:05:19 Rep. Gibson
 03:05:56 Rep. Stahl

Closing by Sponsor:

03:07:25 Rep. Stahl

EXECUTIVE ACTION ON HB 386

03:08:07 **Motion/Vote:** Rep. Esp moved **HB 386 DO PASS**. Motion carried unanimously by voice vote.

ADJOURNMENT

Adjournment: 03:08:48

Antoine Brockman, Secretary

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Additional Documents:

EXHIBIT([aph52aad.pdf](#))